

HOUSE CONCURRENT RESOLUTION NO. 160

(By Delegates Fleischauer, Barill, Barker, Brown, Caputo,
Doyle, Guthrie, Hatfield, Hunt, Iaquina, Mahan, Marshall,
Moore, Pasdon, Poore, Rowan, Staggers and Wells)

Requesting the Joint Committee on Government and Finance to conduct
a study relating to the capacity of the West Virginia Human
Rights Commission to provide adequate outreach and services to
the entire state to investigate complaints of housing
discrimination.

WHEREAS, The West Virginia Human Rights Commission (WVHRC) was
created by article eleven, chapter five of the West Virginia Code,
1931, as amended, to provide equal opportunity in employment,
public accommodations and in the sale, purchase, lease, rental and
financing of housing accommodations or real property to all West
Virginians; and

WHEREAS, The WVHRC receives, investigates and adjudicates
complaints alleging discrimination in public accommodations,
housing and employment across the entire state; and

WHEREAS, In fiscal year 2009, the WVHRC received one thousand
three hundred forty-three requests for information on filing a
complaint and docketed four hundred eighty-one complaints; and

WHEREAS, In fiscal year 2009, the WVHRC had eight investigators
for employment and public accommodation complaints, one housing
specialist and one housing investigator; and

WHEREAS, Only six West Virginia cities have local human rights

1 or relations commissions: Wheeling, Huntington, Charleston,
2 Beckley, Weirton and Martinsburg; and

3 WHEREAS, Five of the six communities in West Virginia that have
4 active local human rights commissions are in the ten counties with
5 the highest number of housing discrimination complaints from 2005
6 thorough 2010; and

7 WHEREAS, Communities without a local Human Rights Commission
8 rely solely on the WVHRC, which can be as far as three hundred
9 thirty miles from some communities; and

10 WHEREAS, Only the Charleston Human Rights Commission is
11 considered a Fair Housing Assistance Program (FHAP) by the United
12 States Department of Housing and Urban Development (HUD) and is,
13 therefore, authorized and required to investigate all housing
14 discrimination complaints across the state; and

15 WHEREAS, As there are only two employees at the WVHRC who work
16 on housing complaints it is a struggle to investigate complaints
17 from all over the state in a timely fashion; therefore, be it

18 *Resolved by the Legislature of West Virginia:*

19 That the Joint Committee on the Judiciary is hereby requested
20 to conduct a comprehensive evaluation of the capacity of the West
21 Virginia Human Rights Commission to currently serve the needs of
22 the entire State of West Virginia and its capacity to investigate
23 housing discrimination complaints in a timely manner, anticipating
24 an increase in the volume of housing complaints over the next three
25 to five years; and, be it

1 *Further Resolved*, That the study shall include an analysis of
2 housing complaint statistics recorded by the WVHRC and HUD based on
3 protected class and county of residence of complainants; and, be it

4 *Further Resolved*, That the study shall include an analysis of
5 state demographics and areas with a growing population to determine
6 where resources are most needed; and, be it

7 *Further Resolved*, That the study shall include an analysis of
8 alternatives for expanding the capacity of the WVHRC to handle
9 increased housing discrimination complaints as well as expanding
10 the outreach of the WVHRC and its educational programs to the most
11 distant counties in the state; and, be it

12 *Further Resolved*, That the Joint Committee on Government and
13 Finance report to the regular session of the Legislature, 2012, on
14 its findings, conclusions and recommendations, together with drafts
15 of any legislation necessary to effectuate its recommendations;
16 and, be it

17 *Further Resolved*, That the expenses necessary to conduct this
18 study, to prepare a report and to draft necessary legislation be
19 paid from legislative appropriations to the Joint Committee on
20 Government and Finance.